

Application No. 10/617,981
Amendment dated October 28, 2004
Reply to Office Action of October 1, 2004

Remarks/Arguments

Claims 1-20 are rejected as unpatentable over Vеторино, et al, '719 under 35 USC 103(a).

Claim 7 is rejected under 35 USC 103(a) as unpatentable over Vеторино, et al in view of Klug '509.

These rejections are respectfully traversed as improper as the references do not anticipate the claims as now presented.

The rejection of independent claims 1, 15 and 16 states that Vеторино discloses a flashlight illuminator which provides a concentrated light beam. The flashlight is said to have an elongate body 14, a power source 12, a switch 28, a LED 23, a collecting and magnifying barrel 44 having a reflector, a lens 26. The reference is said to disclose a lens which is plano-convex with an outwardly directed convex side. The lens is said to be movable toward or away from the LED.

Concerning the structure disclosed by the Vеторино, et al patent, the patent discloses a flashlight having an elongate body 14 which carries a LED and a power source 12. The flashlight also includes an elongate housing 10 which carries the body 14 and mounts at one end a lens 36. The lens is not a plano-convex lens but rather a convex-convex lens. A cavity equal one focal length of the lens is formed in the upper end of the housing 10 terminating at the upper end of body 14. The patent does not disclose a reflector within the cavity or the use of a reflector. The reference does not disclose collecting and reflecting light within the cavity.

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The reference does not disclose the claimed condensed concentrated beam pattern of between 2 and 120 inches at a distance of 150 feet. The rejection asserts such would involve no more than choice.

The limitations contained in claims 1, 15, 16 not taught by the reference or references will now be specifically referred to as required by 37 CFR 1.111(b).

Claim 1 calls for a light collecting and magnifying barrel attached at a first end to one end of an elongate body. The reference does not disclose a light collecting and magnifying barrel.

The claim calls for the barrel to carry a reflector about its inner surface to extend between the LED and the lens. The reference does not disclose a reflector nor a reflector so located.

The claim calls for the claimed structure to function to project light rays along an axial path of up to 150 feet in a condensed diameter of between 2 inches and 120 inches. The reference makes no disclosure of a controlled light beam of any distance. As noted on page 1, lines 17-24, LED devices historically have the limitation of limited distances of light projection and limited control of light beam diameters. To simply state it to be a matter of choice to control and project a LED light beam as claimed is unfounded and unsupported.

Claim 1 clearly defines over the reference Vetrino, et al for the reasons stated. Claims 2-14 depend from claim 1 and are thought to be allowable for the reasons stated.

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Claims 7, 8, 9, 10, 12 and 13 further define over the reference.

Claim 7 calls for the reflector comprising a resilient sleeve.

Claim 8 calls for an inwardly extending raised ring adapted to fit over the LED.

Claims 9 and 10 call for a stepped barrel along its length of about .25 inches.

Claim 12 calls for the barrel to be pressure fit on to the body.

Claim 13 calls for a concentrated light beam projecting over a distance 10 times the distance projected without the barrel.

The reference to Vettorino, et al fails to disclose any of the referred to claimed limitations.

Claim 15 calls for a flashlight illuminator including an elongate body including a power source with a LED at one end and a light collecting and magnifying barrel attached at one end of the body and encasing the LED. The reference encases the body and the LED forming a barrel between the LED and the lens. There is no reflection of the light rays nor are means to reflect disclosed.

The claim calls for a plano-convex lens. The reference discloses a convex-convex lens.

The claim calls for a reflector within the cavity covering the inner surface of the barrel. The reference makes no disclosure of a reflector nor of a reflector so located.

Claim 15 is believed to clearly define over the reference for the stated reasons.

Claim 16 calls for a tubular housing having an inner surface carrying at one end a lens and at a second end a raised ring extending inwardly from the inner surface. The

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reference discloses a tubular housing having at one end a lens and carrying a tubular body mounting at one end a LED. There is no disclosed inwardly directed ring extending from the inner surface of the housing.

The claim calls for a reflective surface between the lens and ring. The reference discloses no such surface nor area.

The claim calls for a securing portion outwardly of the ring adapted to engage over the casing of the flashlight positioning the LED through the raised ring. The reference discloses no such structure.

Claim 16 is believed to clearly define over the reference for the stated reasons.

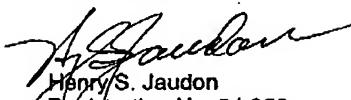
Claims 17-20 all depend from claim 16 and are also believed allowable for the stated reasons.

An earnest effort has been made to place the claims of the application in condition to clearly and patentably define over the references of the rejection. It is respectfully requested that the Examiner, upon reconsideration, withdraw the rejection and find the claims to be allowable.

In the event the Examiner feels a telephone interview would be helpful in furthering the prosecution, it is respectfully requested that one be initiated.

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Respectfully submitted,



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